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E N Q U I R Y

INTO THE

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O F

Places and Pensions, &c.



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An Impartial

E N Q U I R Y
INTO THE
P R O P E R T I E S
O F

Places *and* Pensions,

As they affect the

CONSTITUTION.

Humbly

Inscribed to the serious Perusal of the
ELECTORS of GREAT BRITAIN.

K ; Wherein . . .

The Danger of the COMMUNITY is consider'd,
as the REPRESENTATIVE is subjected to the
Influence of MINISTERIAL DONATIVES.

W I T H

An effectual and honest Proposal to establish her
Liberties beyond the Reach of future Contingencies.

*Ubi Militem Donis, populum annonā, Cunctos dulcedine
pacis pellexit, insurgere paulatim Munia Senatus,
Magistratum legum in se trahere.* TACIT.

*Nulos non honores ad libidinem cœpit & dedit spretos
Patriæ More.* IBID.

L O N D O N :

Printed for H. GOREHAM next the Leg.
Tavern in Fleet-street. 1740.

藝文志

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送人游蜀



An Impartial

E N Q U I R Y
INTO
Places and Pensions, &c.

Gentlemen,



T would be Presumption, as well as an unnecessary Piece of Impertinence in Me, to advance farther Proofs to clear that Point, which already, upon your mature Deliberations, appears unquestionably evident: viz. A Necessity to preserve our Parliaments free from the Pollution of ministerial Donatives, in order to maintain that Equilibrium of Power, which the People claim as their natural, hereditary,

B and

and lawful Birth-rights, in the Administration of the Common-wealth. It has not been carried so far indeed as to deny positively our Pretensions to these Rights ; but yet I apprehend We shall equally suffer in Consequences, whether our Liberties be forcibly extorted from us at one Blow, or may be left in a Posture that admits a Possibility to be gradually filched away by the undermining Practices of some canting Impostor.

Our State Physicians have argued very logically on the present Occasion, in informing Us that there are no Benefits receiv'd by Remedies, where there is not an actual Disease ; or, which is the same, We should suspend our Complaints of Grievances under the Dominion of a mild and merciful Prince. I must sincerely concur with Them, in their Notions of his present Majesty's great Clemency and Benevolence ; and persuade Myself that his apparent Successors promise as much Virtue as can be expected from Thoſe, whom We have not yet experienc'd. But I think every Patriot should endeavour to have his Properties settled on a leſs precarious Footing, than to be dependant on the uncertain Principles of Posterity.

Had

Had the Wisdom of our Ancestors been exerted under the peaceful inoffensive Reigns of preceding Kings, to obtain Preservatives from future Evils, the *English* Histories had not handed down to Us so many barbarous Examples of Slaughter and Desolation, perpetrated on their Descendants by succeeding Tyrants.

The Inclinations of Futurity are only intelligible to the all-wise Creator: A vicious Race may succeed the best of Kings. If therefore We should find a Defect in our present Constitution, or see any Opportunity unguarded for the Defence of our Liberties, it is the Duty of the present Age to anticipate, to prevent those Inconveniences, which by a Negligence We may transmit to our Successors with terrible Effects. And I think it undeniably, that timely Applications are necessary to prevent a small Wound from being provoked into a large Gangreen.

The *Instructions* of the great Metropolis of *London*, seconded by (almost) all the other free Boroughs of *England*, to their Representatives on this Occasion, are irresistible Arguments of the Sentiments of the People, with respect

to their Convictions of the imminent Dangers to which their Liberties lye expos'd: And I think it palpably evident to the meanest Capacity, that if the Representatives of the People borrow a *Dependance* from the Gifts of the Crown, there is an indisputable Necessity for such Representatives to concur with the Crown, in all her Acts, either advantageous or prejudicial to the Rights of the Constituents.

Some few Instances there may be of the Spirit of true Republicans left, who shall act agreeable to the Dictates of Conscience and Equity, when the Interest of the People demands their Votes in Opposition to this suppos'd *Badge of Slavery*: But short, very short is the Space of Time till the mistaken Favours are to be withdrawn, and the presumptuous Offender *unregimented, kick'd out of Employments, and displaced.*

Places, (such as are in themselves supernumerary, extravagant, and idle, such as borrow a virtuous Name to conceal a more odious Appellation) are modern Contrivances, perhaps the Intrigues of a *Minister*, to circumvent and pass over the Barrier of a Constitution;

tion; and lay a Plan for innumerable arbitrary Proceedings, strew'd over with the *Appearance* of a legal Sanction. This Position possibly may seem ludicrous to some hireling Advocates of their Country's Ruin ; but it is too capable of Demonstration — For how slender is the Difference, whether a *Minister* dictates Laws directly by the Force of his own Authority, or fetters the Delegates of the People, so firmly his Votaries, that They must obey his Mandates, without any Respect to the Councils of their Constituents ?

It may be objected against Me here, that *Places* are essentially incident to every Form of Government ; and that the *Donor* can best distinguish the Persons on whom He may confer his Favours ; Therefore it cannot be otherwise interpreted than a *severe, abusive Construction to traduce* an Act, lawful in such strong Circumstances, or criminate a Conduct warranted by Justice, the Oeconomy of a Constitution, and universal Precedents. I am, not without some Reason, apprized that these are the Arguments to be laid hold of, to divert the Dangers of Scrutinies, and to prevent the unfledg'd Designs of a Political Schémist

Schemist from being seasonably detected. In Consequence to these Conjectures, I shall observe, by Way of Reply, that there is a very material Difference between *Places*, as they are to be consider'd *necessary* or *supererrogant* in a Constitution ; the former, wisely dispos'd of, are advantageous to Society in general ; the latter were neither calculated for, nor can be serviceable to the Publick ; but must clash with her Interests, as I shall endeavour to illustrate in the following Discourse.

The *Minister* who prefers personal Benefits and private Ends to the publick Good ; to establish an Interest with his Prince for Continuance in Authority ; and, at the same time, to place Himself beyond the Reach of a Resentment of the Community, whom He may have injur'd ; must endeavour to disportion the Ballance of Power *originally* settled in the *People* ; and ingratiate Himself, by Insinuations, to be protected from the Punishments due to his Demerits. To accomplish these iniquitous Purposes, the less fortified Parts of our *Constitution* are to be founded, to overthrow, effectually, the whole Foundation of

of our *Liberties*, purchas'd and seal'd with the Lives and Fortunes of our Ancestors; and by clandestine, indirect, oblique Means that *Voice of the People* is subverted, so strictly necessary to validate a lawful Decree. It is the very Essence of Liberty, that the Concurrence of the People, by the Votes of their Representatives, shall be unavoidably necessary to give force to an *obligatory Act.* But how miserable would the Reflection be, should we see the very Persons, whom we have entrusted with our Liberties, pinn'd fast to a *Ministerial Sleeve*, to be dragg'd and hawl'd as He thinks proper ?

The prodigious Encrease of PENSIONS and PLACES of late Years, have engag'd the curious Examinants into the Mysteries of Art, to employ their utmost Meditations to solve this uncommon *Phænomenon.* And the cautious Writer of the *Gazetteer* (who, by the by, has not been over tender of his Patron's Reputation) has saved them a wonderful deal of Time and Trouble in their Enquiries, by his Informations, * *That such is*

* *Vide Gazetteer of January 25, 1739-40.*

the Conduct of the great Destroyer of Liberty, Cardinal Fleury. This is undoubtedly a very great Compliment to the English Nation ; but I hope our Constitution will not be so very obliging as to permit the *Great Cardinal's Rival* to practice his Pranks on a *British Parliament*, and reduce Them to the same *counterfeit Representation of Power*, as is the *Original* from whence He may take his *Copy*.

But to set-out a Matter in the clearest Light, which seems to admit of no Degree of Controversy. There must, certainly, be some Design in this Species of PLACES we treat of, or there must not. If there is no *Design* in them, they are an oppressive Burthen to the Commonwealth. If there is a *Design* in them, I should be glad to have it explain'd ; for I really can find none— except I force my Imagination to harbour the disagreeable Idea, that it may proceed from an Inclination to extend Opportunities, *to subtract the Liberties of the Subject without open Violation to the Laws.*—I should be glad to wave the Thoughts — But the Nature of their Applications prevent Me —

In Millions of Men, some other deserving Objects should be found than our Representatives in Parliament, (or which answers the same Purpose) their *appointed Substitutes*. Or could a *national Request* be rejected, except the Interest of the People irreconcileably jarr'd with such *suspected Views*? And for a Confirmation that it is a *national Request*, to limit the Number of Place-men in the House of Commons; I hope no Champion of the Projector's Cause will be so resolutely abandon'd to all Sense of Shame as to insist, *That the Majority of Free Boroughs, headed by the capital Cities of the united Kingdoms, by London, York, Bristol, and Edinburgh, are not more declaratory of the Sentiments of the People, than a few inconsiderable Boroughs, more immediately expos'd to the Influence of Corruption.* The People are therefore very justly alarm'd at the *Insecurity of their Liberties*; and surely with Abundance of Reason, if the Votes of their Representatives should happen to be alienated by *mercenary Gratuities*, or cajol'd by the *awful Nods* of such a *worthy Statesman*, who may Farm-out his *Places* to the best Bidder, at the publick Expence, upon

the old Condition, *That there shall be no Purchase without Payment.*

But let Us forbear Hostilities a-while, and suspend Arguments of this serious and severe Composition ; Let Us play the *Wanton*, and admit the favourable Construction which the ingenious Mr *Freeman* * is pleas'd to varnish a new-invented Branch of Mathematicks, this *pensionary Multiplication* with. Let Us suppose, that these Places and Pensions are design'd for collateral Satisfactions, to reimburse the Representatives the Expences consequent to their Attendance at Court ; to repay the Exorbitancies of their *Wives* at Plays, Cards, Operas, Masquerades, Al-frescoes, and at other such fashionable Places ; nay, let Us go a little farther, and suppose them as Equivalencies for *contingent Expences*, such perhaps may be the Loss of Reputation in some 'Squires innocent Lady, brought up from the Country to be more *politely initiated in Town Mysterie* — But can these humorous Suppositions be satisfactory to Posterity for the Loss of their Liberties ; Or, to gratify this merry Gentleman, shall we blindfold Ourselves

* *Vide the same sad Author and Paper as before.*

not to observe an Exaggeration of Opportunities for eternal Slavery? — No — There still is a Passage left open in our Constitution for innumerable Calamities to force their Course ; and We are not to suppose those Events impossible, which the Ignorance of some of our Royal Predecessors, or perhaps the Goodness of Others, has not already perpetrated — In a few Years, we know not but some *Heliogabalus* may rule the Imperial Throne, and with his Train of *Mercenaries* leave no Occasion for further Doubts, whether a *national Revolution* may not ensue from this unhappy Possibility of Destruction ? In such a Case, will not our afflicted Posterity imprecate, with the greatest Justice, the guilty Ashes of their Ancestors ? Men who were convinced of the Danger, if the Flame should gather Strength, yet suffer'd it to wax to such a Head, that the Efforts of human Nature are insufficient to controul its Rage ? We see, We are conscious of the Apparency of everlasting Misfortunes, and shall we be indolent in Affairs of this last Moment ; whose Consequences may be outrageous, irreparable, and infinite ?

It is different from my Purpose, to consider how deeply an indebted Nation must be affected with a Pressure of Employments, contriv'd to embezzle large Salaries, without having any visible Use — I shall not even Glance at the Thoughts of Thousands *per Annum* annex'd to the Function, where one hundredth Part would be more than a sufficient Competency ; or of infinite Shoals of nominal Agents crowded into those *Sine Cure* Offices, where the Business is transacted by a few Secondaries. — I shall avoid the Notice of either Grants or Reversions of Patent-Offices to such Men as perhaps cannot have any Notions of the Nature of the Gifts hammer'd into their Brains, tho' by indefatigable Inculcations. For I have laid out my Plan not to consider these inferior Qualities of *our Sufferings*, but to prove the main Article; *That a Majority of Votes, influenc'd by Ministerial Gifts, is an infallible Way to subvert a Constitution.*

It would be ridiculous to the highest Degree to suppose, That a Majority of *Place-men* should deny their Votes to H I M from whom They receive such extraordinary Benefits

fits, as cannot be otherwise recompenced. Self-Preservation is the first Law of Nature; and we must know what Thunder-bolts of Revenge are levell'd against the Criminal who dare to disobey the Mandates of his *Patron*. Has Length of Time obliterated the Effects of an *Excise Scheme*? Consider the *Tenancy of Places* is but a *Tenure at Will*; — He must be ousted of Possession who refuses to perfect the Terms of his Lease. Examples have prov'd my Affer-tions; and further Reasons need not be assign'd. — Is then a private Man to engross that whole *legislative Power* to Himself, by indirect Means, which *our Ancestors* thro' many wise and well-judg'd Motives thought too extensive, and, upon this Consideration, vigorously refus'd to entrust to the Direction of any *single Power*? Or shall a *MINISTER* have a more unconfin'd Authority, than was thought safe to lodge in *OUR KINGS*.

As every Man desires to have his Memory regarded or disrespected by future Ages, He should endeavour to hand down to Posterity their Liberties as sacred and inviolated as He has receiv'd them from his Ancestors; and make such

such additional Improvements as Common-Sense, Equity, and universal Approbation proclaim necessary. The Majority of the People, for Reasons not to be controverted, have foreseen the hazardous Situation of their most inestimable Properties, and have made seasonable Remonstrances for Redress. But if neither Instructions nor Entreaties are to be observ'd; If the *deluded Constituents* have elected Instruments rather to *support* than *obviate* the Dangers, They must finally appeal to their future Policy and Wisdom in the Choice of such Representatives, as will not *thwart*, but *obey* them.

Men who barely personate, are not, I presume, to act from their own private Sentiments. I humbly apprehend, that there is some Analogy between the Deputation of the *Representatives* of a People, and the *Ambassador* of a Prince; and that consequently the Instructions, Limitations, and Councils of their respective Constituents, are implicitly understood as the *Rule* of their *Duties* and *Safeties* in their several Civil Actions. If They exceed the Confines of their Commissions, or arrogate a Privilege to act in Opposition

tion thereto, I must think that They alter the Design of their original Institution, and are as highly punishable, as may be in the Power of their distinct Superiors to inflict --- But where the Constituents, upon serious and weighty Deliberations, have come to Resolutions, solemnly ratified, to address their Representatives, to apply legally in Parliament for the Redress of Grievances, which in all Probability must endanger the publick Tranquility ; and the Representatives either neglect, or venture to act contradictory to such Instructions, can any Excuse palliate the Offence ? — It is certainly the most enormous Insult that can be offer'd against the Constitution ; and should be resented with such adequate Punishments, as are naturally vested in the Constituents to dispense, in order to support that fundamental Equality of Power, which, by a common Consent, is ordain'd as the Standard of universal Government.

If *Trustees* in Power, are design'd to personate and manage a Trust, reposed in Them to such Purposes as their Electors shall think proper to direct : In such a Case it is beyond Doubt,

Doubt, that the Rule of such Trustees Duty, consists in the strict Observance of such Instructions, as the Majority of Constituents shall prescribe for their Obedience; And this is more fully explain'd by Reflections on the Design of the Representatives Creation, and the Force of his Suffrage in Parliament. For as it would be a heavy, national, annual Expence to have the Elector's Presence in Parliament to declare his Opinion and Vote on every Occasion; Our wise Constitution has so contriv'd it, that to avoid this Inconveniency, *the People at a full Meeting* shall elect those Men, whom They judge to haye the greatest Capacities, Integrity, and Abilities, to represent Them; and the End for which They elect Them, is to *speak the Peoples Voice* on every Emergency; and like faithful Echoes, to return those Sounds without Alteration that are intrusted to their Delivery.

— So in Parliament, upon this Supposition, that the Voices of the People are epitomiz'd in their Representatives, every Act and Resolution must have the Concurrence of a Majority to lend it Strength and make it valid. It is then as morally certain, as any human Thing

Thing can admit, that the Power lodg'd in the Representatives of the People, is *derivative*, and *limited* to this Condition ; *That They, in all their Councils and publick Acts, proceed with Reverence to the Instructions of Those, who have delegated and confided a Power in Them* —— But where this Power is mismanag'd, perverted, or abus'd, there the Constituents are necessitated to look out for Succour, and the Delinquents guilty 'of a most extensive Breach of Trust. The publick Security sounds the Alarm, and every Member of the Society is indispensibly oblig'd to concert such legal Measures, as are just and necessary to preserve his Frame of Existence.

Should any State-Sycophant advance his slavish Doctrine, that in the Compact of Society the Individuals have transferred such an unlimited and exorbitant Share of Power to the executive Part ; that They have made no Reserve of Defence from its injurious and oppressive Exercise. Should it be said, that the Members, to be govern'd, must submit without Reluctance to the unlawful Proceedings of their Governors, would not this be *Dictator-*

ship revived? This would be an unhappy Transformation of a free Government into an absolute Dominion; and a flagrant Alteration of the fundamental Laws, tho' clouded and disguised by the specious Delusions of a ministerial Rhetorick — A Trust, is for the greater Convenience of the whole People, substituted in a few *Voices* for particular Purposes; and if this Trust be not executed agreeable to the original Intention, and apply'd to the Uses for which it had its Birth, it is void in Effect. The Design is annihilated. The Donors are deceiv'd, and the Delegates have made an apparent Forfeiture, in not observing the Conditions of their Power, *viz.*
to consult and advise for the publick Security, and act with Diference to the Dictates of their Constituents.

My Lord Coke, in his fourth Institute of the High Court of Parliament, expressly says, *That every Frecholder of a County (not a Lord) is a Member of the House of Commons*, either in Person or by Representation: And This is so undeniable a Truth, that I might have saved Myself the Trouble of Appeal to such an exellent Authority. It shall now be my Busines

Business to make my Inference just and conclusive to the material Point which I have lately advanced, *That the Actions of a Representative in Parliament are not to be solely directed by his private Sentiments; but are to be finally determin'd by the Resolutions and Instructions of a Majority of the Persons He represents.*

As every Freeholder, who by Representation gives his Suffrage to publick Acts, is said by a tacit Implicaton to bind Himself, and must accordingly submit to the Ordinances established and ratified by his own Assent, it follows that the Representative is constituted to collect and speak the *Opinion* of a *Multitude*, who have qualified Him with a proper Authority to give Sanction to their Councils. Upon this Principle it is indisputably the Representative's Duty to *sum up seriously the Voices of his Electors, and be determin'd by the Majority*, before He proceeds to the ultimate Use of his Trust, *viz.* to speak the Resolutions of his Constituents, as They are disposed to establish or reject a Law. If this Argument is deny'd me, then the Maxim of *English Government* is overturn'd, *That*

the People shall only be bound to observe Laws which They Themselves enact ; For when the Representatives presume to act contrary to the express Commands of their Constituents, there the People may litterally be said to resemble the *Dutch Criminal* ; for They, with just as much Consent, sign the Death Warrant of their own Execution.

I have been tediously long on this Subject purposelly to shew, that the Power committed into the Hands of the Representative is derivative and in Nature of a *Trust* ; to be manag'd in such Methods and Uses, as the Constituents shall judge conducive for the publick Interest. The Trustees cannot pretend to justify a Title to convert those Weapons against the Commonwealth, extended to their Exercise for her Defence. And when the *Cries of a People* implore their Assistance to ward off a national Destruction, it cannot be consistent with the Duty of the Protector not only to neglect the Security of his Client, but to lend force to the *Blow*. — A Power, which is deriv'd from the Individuals of a Society, and confer'd upon such Men as promise to exert the Parts of honest, able, deserving

serving Agents, seems to admit a Possibility of Revocation, when the Persons in Trust shall argue Themselves *unable* or *unwilling* to administer the Functions of their circumscribed Employments. And this Assertion, if it may seem extravagant, receives a full Confirmation from the Design, Nature, and End of Government, according to the Laws of Nature, and from several honest republican Considerations; *Lex Summa est Salus Populi* — For the better Regulation of Society, and the Security of its Civil Properties, every Member of the Commonwealth has transfer'd his natural Rights to the Directions and Managements of the Legislature; But it cannot be said, that he has absolutely surrender'd and given up his Life, his Liberty, and Fortune to be dispos'd of at the Mercy of the Legislators. In the *original Compact* They are even restrain'd by fundamental Laws, by salutary Principles, and cautious Regulations, as Fences and Bulwarks to strengthen, secure, and defend the Community from the unjust Measures of *Magistrates*, whom the Body in general have empower'd, in a *confined Sense*, either to execute the Laws already made,

made, or enact such Laws as shall be advantageous for the Constituents. Nor can I force Myself to think, that their Creation was framed upon any other Account, than to promote the publick Felicity —— Therefore to close my Argument ; Suppose the *Magistrates* in any Government whatsoever extend their Authority beyond the Prerogative, pervert the publick Benefits into a national Grievance, and violate the Reins of Superiority to curb and oppress the *Members of the Society* who have submitted themselves to their Directions, with Designs of another Nature than Ruin or Destruction ; Is there no *dernier Refort*, no *ultimate Refuge* left to succour the deluded Appellants from *eternal Misery*? Is *passive Obedience* the Argument of Consolation to an unhappy People, defrauded out of their Liberties by Usurpers of their own Ordination? — The *Roman Senate*, through prudential Motives, introduced a new Form of Government, by instituting a *Decemvirate*, a Sovereign Power to continue for the Space of *one Year*; but when these *despotick Decemvires* abused their Privileges, and alter'd the Regulation of their Constitution, in Stratagems
to

to protract an *annual* into a *perpetual* Administration, and to reject the Limitations annexed to their Authority ; could not, nay, did not the Constituents, by legal and justifiable Means, abolish the tyrannous Dominion ? Certainly (no Effect can be greater than its Cause) no executive Part have larger Authority than That which gave it Birth ; or can with Justice pretend to exceed the Restrictions, with which the Constituents have at their primary Institution pinn'd Them down ; and when the Society obligc Themselves to submit to the Injunctions of the Legislature, it must be upon this Presumption, *that the Power They have constituted shall not exceed their Trust, nor dictate any Rules contrary to Reason, and the Interest of the State* — It is not inconsistent with the Character of a good and faithful Subject to make his Remonstrances, and try all warrantable Means of Redress to be reliev'd from those Inconveniences, which the Sense of the Nation apprehend to threaten a general Dissolution of the fundamental Laws, and the Majority of the People are convinc'd to be opposite the Interest and Welfare of the People : And not only this Instance,

Instance of the *Roman* Spirit seems to Me justifiable, but a similar Conduct in all Governments whatsoever must be necessary, where the Powers in Trust have so extravagantly transgres'd their Bounds.

A Digression of this large Extent has been occasionally introduced, to explain the Confines a People prescribe to the political Actions of their Legislators, and to delineate the Quality of their Obedience, justly examin'd according to the estalish'd Laws of Society. I should be sorry to give Occasion for the Imputation of a disaffected Subject, or an unwholsome Member of the Community, as such odious Appellations are vastly distant from my Nature and Principles. The Blessings of a *Hanover* Succession, and our glorious Delivery from Bondage by the late happy Revolution, are the indelible Objects of my most grateful Meditations. The same Love of Liberty which engrafts the Instruments of our Felicity in my Affections, will, I hope, plead an Indulgence for the Freedoms I have taken to expatiate thus, without Dissimulation, on the important Subject. I flatter Myself, that the calumnious Interpretation of

no galled Person whatsoever, can distort my Thoughts into an evil and criminal Construction, as I have offered them pure, and abstracted from the Infatuations of an idle Party Business, and calculated for the general Advantage of my Country : As I have consider'd these Disorders, not already practis'd in our Nation, but *practicable* ; and only recommend these severe Remedies to the Extremities and last Convulsions of a sinking State.

I shall now, *Gentlemen*, return to my Subject, and cannot, for the Reasons I have already troubled You with, and many others unnecessary to be mention'd, apprehend that the Gifts of *Places* and *Pensions* to our Representatives in Parliament, can be reconciled with *their free and unpolluted Delivery of the Voices of the People* — I have some Foundation to think that some Prospect of this Nature, and a Desire to perpetuate to the People their original Ballance of Power, influenc'd the Parliament in the 12th Year of *William the 3d*, of immortal Memory, to make that incomparable Statute to incapacitate every Person who had any Office, or Place of Profit under the King, or Pension from the

Crown, to serve as a Member in the House of Commons ; and could wish that that Statute had been as grateful to every other Power as it was to the People, to prolong its Validity. If, Gentlemen, the Representatives of the People are Agents elected out of their own Body, to support their Rights and Privileges, and equiponderate the Weight in the opposite Scale, I think there is a Necessity that they observe their establish'd Distances ; that thereby the Motions of the One may, by an absolute Independancy, be able to correct the Violence of the Other, and restore the Equilibrium as often as It endeavours to recede from the appointed Situation. But (to proceed in my Allegory) suspend both Powers on the same Brachium, and the Ballance is destroy'd. Suffer the Representatives to be dependant on the Ministry, and the Ministry may act as she pleases, without Fear or Controul.

Reflections of this Nature have employed my most unwearied Deliberations, in order to obviate the Distresses, and remove the Difficulties which surround our State. I have survey'd with some Concern the Ambuscades through

through which I am to pass in conducting a Point of this dangerous tender Consistency ; but hope with Caution and Care so to order my Enquiries, that I may give Umbrage to *no Person*, nor contribute to incur any *merited Resentment*.

At the Commencement of an *Election* for Representatives to serve their Country in Parliament, the Elector is, in Conscience, oblig'd to revolve and debate impartially in his Mind, the Means most effectual to discharge the Duty he owes to Posterity and the Commonwealth — A Man in Concerns of less Moment, should consider the Purposes of his Undertaking, and such Methods as are necessary to reconcile the most beneficial Consequences, before he carries it into Execution.

— If this should be our Conduct in Affairs of an immaterial Consideration, with how much greater Exactness should we direct our Enquiries and order our Actions in Matters of the last Importance, that bear an *eternal Reference* to the Liberties and Properties of the Subject ? Nature, and a moderate Share of common Sense, suggest to every rational Capacity what Qualifications are

requisite in the Candidate to carry him through the great Office of an *Assertor of the Rights and Privileges of his Country.* If we consult the *Writ of Election*, we shall find his Duty explain'd in these Words ; *De advisamento & assensu Concilii Nostri, de quibusdam arduis & urgentibus Negotiis, Nos, Statum & Defensionem Regni Nostri Angliae & Ecclesiae Anglicanae concernentibus* ; namely, “ to assist in Parliament in his Counsel and “ Advice on Affairs of the most extensive and “ pressing Importance, touching the Safety of “ the King, and the Constitution and Defence “ of the Church and Kingdom.” —— This Consideration every Elector should have engraven on the Tablet of his Heart, and should weary his Imagination with Reasonings before he determines his Resolutions on the weighty Occasion. When the *common Safety* is interested, the *Patriot* should distinguish himself by unbiassed Proceedings, and reject the injurious Motives of Affinity, personal Friendships, and every such private Influence as may misguide his Choice. No Title can be supported with such good Authority to the Vote of the *Elector*, as is the Title of that
Candidate,

Candidate, who recommends himself upon no other Terms, than *his unalterable Affections for the Publick Good, his approved Ability to serve her in his Councils, and a stedfast Integrity, not to be seduced by Temptations or Menaces from the Observance of the Declarations covenanted between Him and his Constituents*, on his Deputation into the publick Trust. I hope Degeneracy has not got such Footing in this World, but that in Multitudes We may select a few Persons, in whom We may with Safety place a Confidence, especially when We consider that the Profits which arise to the Representative, on one Hand, for the Contempt of his Engagements, cannot compensate the Benefits of his Obedience on the other — — That a stigmatiz'd, trivial, and fortuitous Place or Pension cannot make an Amends for the Loss of a Reputation, occasioned by an *irreligious Breach of solemn Trust*, or atone an everlasting Disability in the Offender from sharing any Part of the future national Administrations.

The Elector having singled out a Person, in all human Probability, equal to the Trust
and

and Confidence to be reposed in him, the next Proceedings before the Admission of the Candidate into Power, must be a serions Exhortation to the Candidate of his Duty, and of the Extent of the Authority his Constituents have transfered to his Management. He must be made sensible, that the Publick, for their greater Expediency and Convenience, have made Choice of his Services to transact their Instructions in Parliament ; and express the *Affent* necessary to give them Force — That as He represents the whole Community, He must not presume to determine from his own private Thoughts, where they are in Opposition to those of his Constituents ; for that the Conditions on which He received the Trust, are his Declarations to observe, inviolably, the Voice of his Superiors in every Act consequent to the Function of his Office ; which when forfeited, He is no longer to be consider'd as an Agent for the People, but an Intruder into their Rights. For though it be certain that the Power of proroguing and dissolving Parliaments is peculiarly appropriated to the Sovereign Authority, yet 'tis as certain, that where an Authority is limited upon

Conditions

Conditions, if the Conditions be not observed, the Trustee has no longer an equitable Possession ; for an Observance of the Conditions was the Tenure by which He was to Hold. And when a Representative accepts an Authority for the Service of his Constituents, if He appropriates the Authority to private Purposes, inconsistent with the Interest of the Community, I presume He surrenders the Title of an *Agent in Authority for the Service of his Country.* Such an Absurdity as would follow from the Denial of this Argument, would be too favourable a Compliment to support the Endeavours of such *Jacobites* as would justify the Title of the late King *James*, and a *Popish Succession* to the Throne ; for He certainly became lawfully seiz'd of the Crown, and if He did not forfeit his Authority by not observing the Stipulations of his Acceptance, I believe the bigotted Tools of *Papery* will insist on no further Condescensions to corroborate their treasonable Doctrines — A legal Power is ever restrained for specified Uses — He argues Himself incapacitated to *personate* who refuses to comply with the Regulations of his Trust.

Trust. And I persuade Myself that every unprejudiced Individual of the Society will concur with Me in this Opinion, " That the Person who had covenanted on his Election " to make the Instructions of his Constituents, " perfected at a full Assembly, to be the Rule " of his Duty, on his Failure to observe the " Obligations should thenceforth be deem'd " insufficient and disabled to serve the Publick " in any future Trust."

This should be an united Resolution solemnly ratified by the Electors, and communicated to the Candidate at his Entrance into Power; and He who would not accept the Office upon such Conditions, should not, by my Approbation, participate the Favour of the Publick in any other Occupation.

Having advanced so far, my next Purpose is to examine by what Means We may so deprecate the Value of *Places*, as to make the Terms of a Ministry incompen-satory for the Loss of the publick Esteem, (or in other Words) to make the Abilities of the Minister insufficient to find a *Place* or *Pension* for every discontinued Voter. In Pursuance hereof, it must be unanimously insisted on, as a fundamental Rule

Rule of the Constitution, that to *enlarge the Continuance of a Parliament* cannot be otherwise interpreted than a *notorious Infraction on the Liberty of the Subject*: For as an *Annuity* is of greater or less Value, according to the Circumstances to which it is appendant, so the *Pension* (which answers the same Purpose) bears a like Proportion to the Number of Years in which the Vote is to have Effect.

— For Example ; The *Minister* whom I consider on one Hand the Purchaser in respect of *Votes*, will give a larger Gratuity for a Vote to continue *thirty Years*, than for *One* that must determine in *seven*. And on the other Hand, the *Representative*, whom I consider as a Purchaser in respect of *Places* and *Pensions*, will more readily come into a Bargain, where the Length of Enjoyment will repay him the heavy Fine of his Purchase, than where he is certainly to suffer an equal Expence, and not receive one fourth Part in Security and Value ; Therefore, I say, that Prolongations of Parliaments would be an indirect Way of striking at the Root of the Constitution, and such an unlawful Piece of Policy as not to be reconciled with

the *Liberty of the Subject.* — The inestimable Benefits of *short Parliaments* were Blessings too great to be handed down to Posterity. Our Ancestors, conscious of the Effects of *long Parliaments*, confined their Limits. — *Annual Parliaments* had a long Continuance — *Triennial* crept into the World but of late Years — *Septennial* have been recently introduced — By a few of these *Arithmetical Progressions* We may expect in a few Years to have the Space protracted into a most prodigious Excess, if not universally protested against by every Constituent, who would establish a *free, uncorrupted, and independant Parliament*, and avow the Sentiments of Mr *Pryn*, in his *Sovereign Law of Parliaments*, that the Laws should properly be the Acts of the People, and not the Acts of any other Power. If the original Compact of Society has, through a tender Regard for the Interests of the People, so contriv'd it, that the People are to dictate the Acts, by Force whereof their Obedience is to be exacted: If it is so establish'd, that the Delegates, to ratify these Acts, shall be of the voluntary Election of
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the People ; and has appointed *short Parliaments* with a Design to give the Constituents more frequent Opportunities to *reward* or *punish*, to *continue* or *remove* the Delegates according to their Managements ; It is to be lamented that *these constitutional Ordinances* should be evaded by the Schemes and Policies of some subtle but pernicious Artist, or made of none Effect by oblique and sinister Contrivances. — The Elector undoubtedly has a great Share in the Regulations of the State, whose Representative is suck'd from his natural Direction by some attractive Court-Loadstone ; and by this primary Institution of a Title, dependant on the Approbation of the Elector, into a Certainty for Years, is there not a new Kind of *Saturnalia* invented for every *Davus* to thwart his Superior ?

It is then, *Gentlemen*, inconceivably incumbent on the Constituents to concert such Measures as are lawful and necessary to preserve the Constitution, to reverse the Model of an Inheritance for Life, and restore it to the primitive circumscribed State. It has been pretended that such Practices must *alter* the Constitution ; but I imagine They only would

inculcate these wild Notions, who would not desire to have it *reform'd*. Frequent Opportunities to punish or reward must influence the Representative to be cautious in his Conduct. And if every third Year was re-manded for the *Lustrum* of our Managers, this happy Consequence must ensue ; That either the Constituent must conform to the Admonitions of his Constituents, or that a Ministry *must split her Employments into Piece-meal* to make any Sort of Provision for her *large Troops of disbanded Pensioners*. In the first Case, the obedient Delegate, by his Dependance on his Constituents Affections, retains his Seat in the House ; in the last, the Premium must be so inconsiderable, that He who would not be honest out of Principle, would be so out of Policy.

It may not be impertinent in the present Observations, to take Notice, that *Julius* and *Augustus Cæsars* were the first Politicians, who traduced the *Roman Freedom* into a State of Slavery ; the former by prolonging his Power, contrary to the Mandates of the Senate, merely by his own Authority ; the latter by heaping his Donatives on the People ; infomuch

insomuch that not even the unparallel'd Exploits of the one, or the flattering Muses of the other can redeem their lost Characters from the black Notes of Infamy. The same Arguments which may prevail upon a Statesman to imitate their Examples, point out the Probability of our Fate, if We continue to resemble their slavish Forbearance.

A Parliament, independant on the Gifts of a Ministry, and more immediately under the Direction of their respective Constituents, is a national and honest Sollicitation. The Voice of the People cries out loudly for these their natural and indubitable Rights. 'Tis a melancholy Expression to say, *not long since* We know that our Birth-rights were fortified by the Laws; That no *Place-man* could attempt to represent the People, as it was plainly foreseen that his Voice could not be sincere and unpolluted, whose Services were anticipated in an opposite Interest. We remember to have heard of the Necessity under which the Representative was tied down to discharge his Duty to the Common-wealth,

to make his * Actions correspond with his Denomination, and speak the Resolutions of his Constituents. *Short Parliaments* were Touchstones of the most distinguishing Nature, interpreted Blessings or Misfortunes, as the Conscience of the Representative was good or evil. The virtuous Man ever approved of Prospects to reward his Merits : The vicious dreads the Possibilities of a Punishment.

To reconcile one View, and disconcert the Schemes of the other ; to recover the Blessings of *short Parliaments*, and render the Stratagems of Places *useless*, the Constituents have still one, and but one Remedy reserv'd ; and this Remedy is of such a delicate Composition, so grateful to the Taste, so inoffensive in Operation, and so salutary in Effects, that it must be balsamick to every Patient.

Therefore the following Resolutions must be positively enter'd into, confirm'd, and ratify'd by the Constituents, in a full Assembly, to be religiously observ'd by every

* A Parler le Ment : Hence the Etymology of Parliament.

Member of the Society, as the only practicable Means to preserve the antient Partition of Power appropriated to the Subject, from being suppress'd by the Ambition of a Ministry.

R E S O L U T I O N S.

I.

That it is undoubtedly a Liberty of the Subject to instruct his Representative in Parliament.

II.

That it is the highest Contempt that can be offered against the Constitution, for the Representative to disobey his Instructions.

III.

That in Consequence to this Resolution, the Representative who shall presume to act contrary to his Instructions, or elude their Force by trivial Pretences, shall be, ipso facto, disabled from ever serving the Publick in any future Trust.

IV.

IV.

That the Sufficiency of the Excuse shall be referred to the unanimous Arbitration of the Constituents.

V.

That it shall be strongly recommended to, and peremptorily insisted from the Representative, as an essential Part of his Duty, to promote, forward, and perfect, as far as in Him lies, a Statute to restore us the laudable Custom of Triennial Parliaments.

A few positive Rules of this Substance, severely maintain'd without Favour or Affection to any Delinquent, would be a glorious Basis to support a decay'd Constitution from being undermined by the most expert Engineer — That We have a Power to enter into such Resolutions, is a Truth, I flatter Myself, no Party Advocate will venture to dispute ; And surely something more than Infatuation must lull the blinded Senses astray, if We do not try our last Endeavours, and practise our ultimate Efforts, before We tamely dedicate our Necks to the Yoke, or evn argue a Propensity

sity to receive it. — If a Legion of *Place-men* must obey their Commandants, (and that They must obey, or be cashier'd, I have already suppos'd) how ticklish must be the Situation of those Liberties that lye under their Feet to be trampled on as the giddy Passions shall direct? I must frankly confess that I can see no Necessity to run any Risques, or to hazard our Liberties in a Lottery, when We have it actually in our Power to establish them beyond the Reach of a fortuitous Chance — A rigorous Execution of this Compact with our Representatives, must oblige Them to pay Regard and Attention to the Instructions of the Constituents.

· *New Elections*, according to our present Conjectures, will soon present Us with favourable Opportunities to put these Schemies in Practice; and He must be besotted beyond his Reason, who will not heartily concur to the Proposals offer'd on the great Occasion. — He that trifles longer, must expect to be trifled with. — *Honest, plain Dealings* are to denounce the Consequences that shall attend the Observance or Neglect of the Delegates Duty — And when He shall have

the Rule of his Proceedings explain'd to Him under *Penalties*, He cannot fly to the Plea of *Ignorance* for Refuge, as his Actions are then too open to be veil'd under any Disguise; and it is my Opinion You may as well whistle to the Winds, as prescribe any Directions to Him, if not enforc'd by Penalties, and a rigorous Execution — Let Us, before it be too late, search out for the Man of Integrity, Morals, and Virtue, unmov'd in our Enquiries by any partial Considerations — Such are the Preliminaries requisite in the Candidate — And He who will not prefer the Man recommended by such *valuable Perfections*, to the mercenary, corrupt *Occupant* of unbounded Possessions, is an offensive Branch of the Community, hoodwink'd to his own and his Fellow-Creatures Destruction. History shews Us that the After-ages of *Greece* receiv'd more Advantages from the prudent Councils of *Solon*, than the Posterity of the wealthy *Attalus* from his unlimited Dominions and great Riches. — Honest Men, with sufficient Abilities, are such as We have occasion for. We want not to have our Liberties purchas'd, We want to have them secur'd ; and if We
please

please to reflect, We may partly find that Remedy in Ourselves which We ineffectually may apply for to another Power.---Their Concurrence may be necessary to stifle the Disease; our Applications are useful to relieve its Extremities---Therefore, *Gentlemen*, once more, I shall advise You to make an unbias'd Choice of *honest Representatives* --- To concert Measures to render their Obedience necessary to your Instructions, by a severe Prosecution of the *Resolutions* I have mention'd unto You, and to insist upon their Endeavours to restore Us our glorious Institution of *short Parliaments*; which, I presume, is a Request that cannot be denied, at least with any Colour of Reason.—— This is the Way to determine our Fears, and perhaps may have additional good Effects, (exclusive of the immediate Benefits We shall receive thereby) than a bare Limitation of *Place-men* in the House of Commons; for when the Purposes are annihilated, for which some Thousands of these Donatives are suppos'd to be contriv'd, 'tis not improbable to think that their useless Number may be abridg'd, and the Nation
relicy'd

reliev'd from the heavy Pressure of a large unprofitable Load —— This is the hearty Wish of every *true Briton*, and of none more than Him, who is,

Gentlemen,

Your faithful Friend,

and Fellow-Sufferer.

F I N I S.



